REMARKS

The specification has been reviewed, and clerical errors of the specification have been amended.

On page 2 of the Action, the declaration was objected to because of the wrong title. In view of the objection, a new declaration is submitted herewith.

On page 2 of the Action, claims 10, 15, and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Steiger et al. (6,230,948). On page 3 of the Action, claims 1-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Jankovic (5,601,269) in view of Steiger et al. (6,230,948). On page 4 of the Action, claims 11-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Steiger et al. (6,230,948) in view of Sudak (5,375,805). On page 4 of the Action, claims 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Steiger et al. (6,230,948) in view of Jankovic (5,601,269). Also, on page 5 of the Action, claim 9 was objected to as being dependent upon a rejected base claim, but indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the rejections and objection, claims 1 and 10 have been amended to clarify the features of the invention. Claim 9 has been amended to an independent form. New claims 17-20 have been filed to obtain a proper scope of the invention.

As recited in amended claim 1, a container holder of the invention comprises a main arm having container receiving parts formed on two lateral ends thereof; first driving means connected to the main arm for moving the main arm in and out of a compartment; and trays linked with the main arm and moving in and out of the compartment in association with the main arm. The trays are provided corresponding to and separately from each of said receiving parts. The container holder also includes adjusting members provided corresponding to and separately from the receiving parts, respectively; and second driving means connected to the adjusting members for moving said adjusting members relative to the container placed on the tray along directions that the main arm is moved in and out of the compartment. Each of said adjusting

members holds a container placed on said tray together with the receiving part.

In particular, the main arm has the receiving potions, and the trays are provided separately from the receiving parts. When the first driving means moves the main arm out of the compartment, the trays move in association with the main arm. The adjusting members are provided separately from the receiving parts, and moves along the directions that the main arm moves, so that the adjusting member holds the container together with the receiving part.

Steiger et al. is directed to a cup holder, and includes a housing 1 having a pair of upwardly open seats 2 and a horizontal floor 4. Each seat 2 is provided with three angularly equispaced gripping arms 5. The gripping arms 5 of each seat 2 can be pivoted about respective axes 5A, so that when a user sets a container into one of the seats 2, the gripping arms 5 swing to hold the container.

In Steiger et al., the housing 1 and the horizontal floor 4 are integrated as one single member. The horizontal floor 4 is not divided, and extends below the two open seats 2. In claim 1 of the invention, the trays for holding the bottom parts of the containers are provided corresponding to each of the receiving parts and are separated from the receiving parts.

In Steiger et al., the gripping arms 5 are provided along a periphery of each seat 2, and are pivoted about the axes 5A to hold the container. In claim 1 of the invention, the adjusting members are moved relative to the containers placed on the trays along the directions that the main arm is moved to hold the containers. Therefore, Steiger et al. does not disclose or suggest the features of the invention recited in claim 1.

Jankovic discloses a container holder apparatus 10 including a pair of collapsible and retractable holders 28 and 30. The holders 28 and 30 are rotatable between a collapsed position and a use position. The holders 28 and 30 include bases 31 and 33 and support walls 32 and 34. In the use position, the support walls 32 and 34 extend vertically with the bases 31 and 33 horizontal thereto.

In Jankovic, each of the holders 28 and 30 has the base 31 or 33. Namely, the holder 28 is integrated with the base 31, and the holder

30 is integrated with the base 33, respectively, as one single unit. In the invention, the trays are provided separately from the receiving parts, and move in association with the main arm.

In Jankovic, there is no member separated from the holders 28, 30 or bases 31, 33 for holding a container placed on the bases 31, 33. In the invention, the container holder includes the adjusting members provided separately from the receiving parts. The adjusting members are moved relative to the containers placed on the trays along the directions that the main arm is moved to hold the container. Therefore, Jankovic does not disclose or suggest the features of the invention recited in claim 1.

Sudak et al. discloses a container holding assembly 10 including a tray 18. The tray 18 is formed by a body 24 and an integral top 26, and includes at least one container receptacle 22 and sensor means 56 for sensing when a container is in the receptacle 22. Although the sensor means 56 are provided in Sudak et al., the separate tray and adjusting member as recited in claim 1 of the invention are not disclosed or suggested.

Even if the cited references are combined, the trays and adjusting members as clearly recited in claim 1 of the invention are not at least suggested in the cited references.

As recited in claim 10, a container holder of the invention comprises a main arm having a container receiving part; a tray situated under the main arm separately from the receiving part for supporting a container; a holding member for laterally holding the container together with the receiving part; first driving means connected to the holding member for entirely moving the holding member toward the container; sensing means for contactlessly sensing the container placed between the receiving part and the holding member; and control means connected to the first driving means for driving the first driving means when it is sensed by the sensing means that the container is placed between the receiving part and the holding member.

In particular, in the container holder of claim 10 of the invention, the tray is situated under the main arm separately from the receiving part for supporting a container.

In Steiger et al., the side wall 3 and the horizontal floor 4 are integrated as one single member. The horizontal floor 4 is not separated from the side wall 3, and extends below the two open seats 2. In the invention, the tray is situated under the main arm separately from the receiving part.

A rejection based on 35 U.S.C. 102 requires every element of the claim to be included in the reference, either directly or inherently. The Examiner has failed to identify all elements of claim 10 as anticipated by the Steiger et al. Therefore, Steiger et al. does not disclose or suggest the features of the invention recited in claim 10.

Incidentally, Jankovic and Sudak et al. do not disclose or suggest the tray separately from the main arm of claim 10 of the invention.

As explained above, the cited references do not disclose or suggest the features of the claims of the invention. Even if the references are combined, the invention is not obvious.

Reconsideration and allowance are earnestly solicited.

A one month extension of time is hereby requested. A credit card authorization form in the amount of $110.00 is attached herewith for the one month extension of time.

Respectfully submitted,

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